

STATE OF NORTH CAROLINA DEPARTMENT OF TRANSPORTATION

ROY COOPER **GOVERNOR**

JAMES H. TROGDON, III SECRETARY

October 2, 2018

Dena Brown National Bridge Builders, LLC 106 Woodland Trail Kernersville, NC 27284

Subject:

Goal Confirmation Letter/Good Faith Effort Determination

Description:

Replace Bridge #106 on SR 2128 (Bunch Road) over Reedy Fork Creek

County:

Guilford

Contract No: DG00429 WBS No:

40150.3.1

Dear Ms. Brown:

On Tuesday, September 18, 2018 a meeting was held by the Division 7 Goal Compliance Committee to review the Good Faith Effort of National Bridge Builders, LLC, the apparent low bidder on the above referenced project.

The advertised contract goals for this project were:

DBE = 5.0%

Your bid proposal indicates that your firm attained the following participation:

DBE = 3.07%

National Bridge Builders (NBB), LLC was required to submit GFE for the referenced project due to not meeting the required goal. The committee has reviewed the good faith effort documentation and based on their review, NBB did submit satisfactory information to the Department demonstrating they exerted a good faith effort in attempting to meet the DBE contract goal in accordance to the special provisions.

Therefore, the DBE Goal Commitment of 3.07 will be the Contract Goal Requirements.

Although your firm was found in good faith, the Department does offer the following suggestion(s) for any future Good Faith Effort packages. Please act upon each one and document on your submission for future contracts.

1. Complete GFE Education Session from the Office of Civil Rights within 90 days. Need to confirm completion.

- 2. Please make sure all documentation references the correct project advertised for Division 7.
- 3. Include information on solicitation letter about bonding and insurance assistance. This could be expanded with the Pre-bid notification in case the DBE firm does not attend the pre-bid.
- 4. Provide additional documentation showing confirmation receipt of fax submittals, phone calls and results of follow-up discussions on the solicitation log/list.
- 5. DBE should be considered and selected before self-performing the work if quotes are reasonable compare to prime contractor self-perform cost.

On future Good Faith Effort packages the Department will consider this documentation in its review of your efforts and the determination of good faith findings. Please make sure you address these comments on future good faith effort submittals.

In accordance with Article 102-16(J) of the NCDOT *Standard Specifications*, failure to satisfy the Disadvantage Business Enterprise requirements of the Project Special Provisions may be cause to disqualify a Contractor from further bidding.

Based on your bid proposal, the Department has listed the following approved DBE subcontractors and dollar amounts to meet the Contract Goal Requirements. These firms are required to be utilized under the regulations in Special Provision (SP1G67) and any changes in the work affecting the DBE firms or replacement of a DBE firm will need to follow these provisions.

Committed DBE Firm

- 1. McCain Striping Service, Inc.
- 2. Nickelston Industries, Inc.
- 3. B.C. Cannon Company, Inc.

Committed Amount

\$5,488.00

\$16,038.75

\$7,296.75

Should you have any other questions about this determination or procedure, please contact Mr. Donnie Huffines, Division Program Manager at (336) 487-0075.

Sincerely,

J. M. Mills, PE

DIVISION ENGINEER

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JMM/DRH/drh

cc:

file

ec: J. M. Mills, PE; P. P. Eason, PE; P. D. Wilson, PE; J. B. Wall, PE; Shelby Scales;

Benny Sloan, EI